

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

SUIT NO.3414 OF 2006

Land Breeze Co.op. Hsg. Soceity Ltd.

Vs.

Silloo Dady Baxter and ors.

..Defendants.

Mr. Birendra Saraf i/by M/s. Soloman &Co. for the plaintiff.

Mr. V.K. Shiralkar i/by Shiralkar & Co. for the Defendant Nos. 1 to 4.

Mr. R.K.Karikath for the Defendant Nos. 10,12,13 & 16.

**CORAM : R.S. MOHITE, J.
DATED : 19TH DECEMBER, 2006.**

P.C.

1. The Advocate for the plaintiff and the defendants 1 to 4, 10, 12, 13 and 16 tender consent terms dated 19.12.2006 which are taken on record and marked "X" for identification. Same indicates that as regards the defendants who have not signed the consent terms, suit to be dismissed for want of prosecution. In the circumstances, suit is dismissed for want of prosecution against the defendant Nos. 5 to 9, 11,14,15 and 17 to 19. Leave to amend to delete their names. Suit is dismissed in terms of the consent terms dated 19.12.2006. There will be refund of court fee as per rules. Amendment to be carried out within a period of one week. Making up of a drawn up decree is expedited. Undertakings given in the consent terms are accepted.

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(R. S. MOHITE, J.)